

TITLE 2: PUBLIC MORALS, SAFETY AND WELFARE

DIVISION 8: PROPERTY PROTECTION

Chapter 7: GRAFFITI SUPPRESSION.

Sections:

- 28.071 Findings.
- 28.072 Definitions.
- 28.073 Removal of Graffiti.
- 28.074 Aerosol Paint Containers and Felt Tip Markers.
- 28.075 Property Maintenance.

28.071 Findings.

The Board of Supervisors finds that graffiti, on public and private properties, is a blighting factor on the neighborhood, encourages other acts of malicious vandalism, and depreciates the value of adjacent and surrounding properties. The Board also finds that graffiti is inconsistent with the County's property maintenance goals, aesthetic standards, and that it is important to remove graffiti as quickly as possible. The Board further finds that aerosol paint containers and felt tip markers are used to create graffiti and that there is a need for retailers to keep such items under lock and key, available only on special request, to reduce their use for purposes of graffiti.

Adopted Ordinance 3537 (1993);

28.072 Definitions.

For purposes of this Chapter:

- (a) "Aerosol paint container" means any aerosol container, regardless of the material from which it is made, which is adapted or made for the purpose of spraying paint capable of defacing property.
- (b) "Felt tip marker" means any broad-tipped indelible marker or similar implement containing ink or dye that is not water-soluble, and which has a flat or angled writing surface one-half (1/2) inch long or greater.
- (c) "Graffiti" includes any unauthorized inscription, word, figure or design that is marked, etched, scratched, drawn or painted on any structural component of any building, structure, or other facility, regardless of the nature of the material of that structural component.

Adopted Ordinance 3537 (1993);

28.073 Removal of Graffiti.

County funds may be used to remove graffiti from public or privately owned permanent structures located in the unincorporated portion of the County, provided:

- (a) The funds are only used to remove the graffiti itself, and not for painting or repair of a more extensive area.
- (b) In the case of a publicly owned structure, only after securing the consent of the public entity having jurisdiction over the structure.
- (c) In the case of a privately owned structure, only after securing the consent of the owner.

Adopted Ordinance 3537 (1993);

28.074 Aerosol Paint Containers and Felt Tip Markers.

Every retailer selling or offering for sale in the unincorporated portion of the County of San Bernardino aerosol paint containers or felt tip markers shall keep, store and maintain such items in a place that is locked and secure, or otherwise unavailable except by special request.

Adopted Ordinance 3537 (1993);

28.075 Property Maintenance.

Graffiti on any residence, rental housing, multi-residential, commercial or industrial building, structure, sidewalk or driveway is hereby declared to be a public nuisance. The criminal penalties for graffiti as a public nuisance and the civil procedures for abatement of graffiti as a public nuisance shall be as provided in Title 3, Division 3, Chapters 1, 2 and 3 of the San Bernardino County Code.

Adopted Ordinance 3717 (1998);